

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. NO. 3438-01
BILL NO. HB 1398
SUBJECT: Crimes and Punishment; Prisons and Jails
TYPE: Original
DATE: January 25, 2000

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
General Revenue Fund	\$0	\$0	(less than \$100,000)
Total Estimated Net Effect on <u>All</u> State Funds	\$0	\$0	(less than \$100,000)

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
None			
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses
This fiscal note contains 3 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of State Courts Administrator, Office of Attorney General, and the Office of Prosecution Services** assume the proposed legislation would have no fiscal impact on their agencies.

Officials from the **Office of the State Public Defender** assume that existing staff could provide representation for those few cases arising where the indigent persons were charged with the enhanced crime of aiding an escape of a prisoner. However, passage of more than one similar bill would require the State Public Defender System to request increased appropriations to cover the cumulative cost of representing the indigent accused in the additional cases.

Officials from the **Department of Corrections (DOC)** assume the proposed legislation upgrades the existing crime of aiding an escape of a prisoner from a class D Felony to a class B Felony. Currently, the sentence for a class D Felony is two to five years and for a class B Felony is five to fifteen years. Therefore, starting in FY 2003, this proposal could add ten years to a defendant's sentence.

Oversight assumes the proposal could result in additional costs for supervision and care by the DOC. Although unknown, the amount would likely be less than \$100,000 in FY 2003, but could exceed that amount thereafter.

<u>FISCAL IMPACT - State Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
GENERAL REVENUE			
<u>Costs</u> - Department of Corrections			(less than
Increased beds	\$0	\$0	\$100,000)
 <u>FISCAL IMPACT - Local Government</u>	 FY 2001 (10 Mo.)	 FY 2002	 FY 2003
	0	0	0

FISCAL IMPACT - Small Business

No direct fiscal impact on small businesses would be expected due to this proposal.

L.R. NO. 3438-01
BILL NO. HB 1398
PAGE 3 OF 3
January 25, 2000

DESCRIPTION

This proposal increases the penalty for aiding in the escape of a prisoner being held in custody or confinement on the basis of a felony charge or conviction from a class D to a class B felony.

This legislation is not federally mandated, would not duplicate any other program, and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of State Courts Administrator
Office of Attorney General
Office of Prosecution Services
Office of State Public Defender
Department of Corrections



Jeanne Jarrett, CPA
Director
January 25, 2000